

HOUSE BILL 1009

By Windle

AN ACT to amend Tennessee Code Annotated, Title 39,  
Chapter 13, Part 1, relative to the offense of  
aggravated assault.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-102, is amended by adding  
the following as a new subsection:

( ) A person commits aggravated assault who:

(1) Commits an assault as prohibited by § 39-13-101;

(2) Is serving a sentence of incarceration in a public or private penal  
institution as defined in § 39-16-601, or is under probation, parole, judicial or  
pretrial diversion supervision by a program operated by a state or local  
governmental entity, or an entity contracting with the state or local government.

(3) Assaults a correctional officer, guard, jailer, or other full-time  
employee of a penal institution, local jail, or workhouse while that person is in the  
discharge of official duties; and

(4) Has been disciplined for or convicted of assaulting any correctional  
employee or employees described in subdivision (3) two (2) times or more prior  
to the instant assault.

SECTION 2. Tennessee Code Annotated, Section 39-13-102, is further amended by  
adding the following new subdivision to subdivision (e)(1)(A):

( ) Subsection ( ) is a Class E felony and shall be served consecutively to any  
sentence for which the person is incarcerated or under supervision.

SECTION 3. This act shall take effect July 1, 2015, the public welfare requiring it.